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3. Patent and Trademark Office OL-37 (Rev. 1-04)

of Biological Material

☐ Notice of References Cited (PTO-892)

Paper No./Mail Date 4/5/04

☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

Examiner's Comment Regarding Requirement for Deposit

Information Disclosure Statements (PTO-1449 or PTO/SB/08),

5. Notice of Informal Patent Application (PTO-152)

8. \boxtimes Examiner's Statement of Reasons for Allowance

6. Interview Summary (PTO-413),
Paper No./Mail Date _____

9. Other ____.

7. Examiner's Amendment/Comment

Application/Control Number: 10/052,739

Art Unit: 2877

 Applicant's canceling of claims 1-2, 8-9, 11-12 and 20-25 in the amendment/response paper, 4/5/04, is acknowledged.

Reason for Allowance

1. Claims 3-7, 10, 13-19 and 26-27 are allowed for the following reasons:

The instant application is deemed to be directed to a nonobvious improvement over the invention patented in Pat. No. Shirai et al. (US 6532059). Claims 3, 4, 7, 14-18 and 26-27 are allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious a central line of the pillar-shaped is inclined by α degrees with regard to a central axis of said lens, and there is an angle β degrees between the central line of the pillar-shaped and of the plane of incident, or between the central line of the pillar-shape and the plane of emission in combination with the rest of the limitations of the base claim.

Claims 5-6 are allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious wherein said retaining member and filter are soldered together in combination with the rest of the limitations of the base claim.

Claim 10 is allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious wherein a marking is provided on the filter for position setting in combination with the rest of the limitations of the base claim.

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Claim 13 is allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious wherein a marking is provided on the filter for position setting in combination with the rest of the limitations of the base claim.

Claim 19 is allowable because the prior art of record, taken alone or in combination, fails to disclose or render obvious wherein a center of the lens is offset vertically against the center of the optical axis of the beam emitted from the semiconductor laser in combination with the rest of the limitations of the base claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Contact Information

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Cyrus Kianni whose telephone number is (571) 272-2417.

The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 6:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font, can be reached at (571) 272-2415.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for formal communications intended for entry)

or:

Hand delivered responses should be brought to Crystal Plaza 4, 2021 South Clark Place, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956.

K. Cyrus Kianni Patent Examiner Group Art Unit 2877

Frank Font Supervisory Patent Examiner Group Art Unit 2877

Fack I For

July 6, 2004